

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Ameren Transmission Company of Illinois	}	
	}	
Petition for an Order Pursuant to Section 8-509	}	Case No.: 14-0291
of the Public Utilities Act Authorizing Use of	}	
Eminent Domain Power.	}	

DIRECT TESTIMONY

OF

ROGER L. LIEHR

Intervenor Liehr Exhibit 1.0

DIRECT TESTIMONY OF ROGER L. LIEHR

Q. PLEASE STATE YOUR NAME AND CURRENT RESIDENTIAL ADDRESS.

A. Roger L. Liehr. 38708 State Highway 107, Chambersburg, Illinois 62323.

Q. ARE YOU FAMILIAR WITH THE PROCEEDING IN WHICH YOU ARE SUBMITTING THIS TESTIMONY?

A. Yes, I am.

Q. DO YOU OWN CERTAIN LAND WHICH IS SUBJECT MATTER OF THIS PROCEEDING?

A. Yes, I do. My wife, Ruth Anne Liehr, and I own three tracts of land consisting of approximately 155 acres in Pike County, Illinois, which are a part of the land that is the subject matter of this proceeding.

Q. HAVE YOU BEEN CONTACTED BY AMEREN TRANSMISSION COMPANY OF ILLINOIS (ATXI) WITH REGARD TO ATXI ACQUIRING A CERTAIN INTEREST IN YOUR REAL PROPERTY WITH REGARD TO WHAT IS KNOWN AS THE ILLINOIS RIVERS PROJECT?

A. Yes, I have. I received a FedEx package from ATXI which was dated November 21, 2013. This package was delivered in late November 2013.

Q. DO YOU STILL HAVE THE DOCUMENTS THAT WERE SENT TO YOU FROM ATXI VIA FEDEX?

A. Yes, I do. I have kept them and will be glad to make them available for inspection by ATXI or anyone else, upon proper request.

Q. HAVE YOU RECEIVED ANY OTHER DOCUMENTS FROM ATXI, OTHER THAN

23 **THE DOCUMENTS DELIVERED VIA FEDEX?**

24 A. Yes, I have. I did receive a certified letter which was dated October 16, 2013. That letter
25 related to conducting surveys upon my land but did not relate to any attempt by ATXI to
26 acquire any interest in my land.

27 **Q. HAVE YOU MET WITH ANYONE FACE-TO-FACE TO ATTEMPT TO**
28 **NEGOTIATE ANY ACQUISITION OF YOUR LAND?**

29 A. Yes, I have. On January 23, 2014, I met with John Ohlms, a land agent for a company by the
30 name of Contract Land Staff.

31 **Q. AS A RESULT OF THAT MEETING WITH MR. OHLMS, DID YOU RECEIVE**
32 **ANY OTHER DOCUMENTS?**

33 A. Yes, I did. I received a letter from Mr. Ohlms on February 5, 2014, relating to a proposed
34 re-route of the easement on my land.

35 **Q. HAVE YOU RECEIVED ANY FURTHER DOCUMENTATION FROM MR.**
36 **OHLMS?**

37 A. No, I have not. Nor have I received any further documentation from ATXI or any other
38 person representing ATXI.

39 **Q. DID THE CORRESPONDENCE FROM ATXI DELIVERED VIA FEDEX, DATED**
40 **NOVEMBER 21, 2013, CONTAIN ANY PROPOSAL BY WHICH YOU WOULD**
41 **GRANT AN EASEMENT TO ATXI?**

42 A. Yes, it did. It contained a proposal but the proposal was incomplete.

43 **Q. WHY DO YOU SAY THE PROPOSAL WAS INCOMPLETE?**

44 A. The proposal did not include an appraisal. I was unable to review the proposal and determine

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how the value was reached for my land.

**Q. WHEN YOU MET WITH MR. OHLMS IN JANUARY 2014, DID YOU REQUEST
A COPY OF SUCH AN APPRAISAL?**

A. Yes, I did. In fact, Mr. Ohlms agreed that he would furnish me a copy of an appraisal.

**Q. AT ANY TIME, HAS ANYONE FROM ATXI, OR REPRESENTING ATXI,
FURNISHED YOU WITH A COPY OF THE APPRAISAL?**

A. No.

**Q. AT THIS TIME, ARE YOU IN A POSITION TO EVALUATE ATXI'S PROPOSAL
AND EITHER ACCEPT THE PROPOSAL OR MAKE A COUNTER-OFFER?**

A. No, I am not. I am still waiting for a copy of the ATXI appraisal that Mr. Ohlms promised me.

**Q. HAVE YOU FOLLOWED UP WITH MR. OHLMS AND MADE FURTHER
ATTEMPTS TO OBTAIN A COPY OF THE APPRAISAL?**

A. Yes, I have. I called the number I was given by Mr. Ohlms, but he did not return my call.

**Q. THERE WAS AN EXHIBIT FILED IN THIS PROCEEDING (ATXI EXHIBIT 1.4,
PART V) THAT STATES THAT ATXI ATTEMPTED TO CONTACT YOU OR
"MR. WAGNER" AND MENTIONS LEAVING "20 VOICEMAILS" WHO IS MR.
WAGNER?**

A. Mr. Wagner is the gentleman from whom I bought the property on contract for deed. This contract for deed was in fact paid off in March 2014.

Q. DID ATXI OR ITS AGENTS LEAVE ANY VOICEMAILS FOR YOU?

A. No. That would be impossible as I do not have a voicemail account.

67 **Q. ARE YOU AND YOUR WIFE WILLING TO ATTEMPT TO NEGOTIATE A**
68 **SETTLEMENT WITH ATXI?**

69 A. Yes, we are, but we want ATXI to bargain in good faith. Mr. Ohlms promised me a copy of
70 the appraisal and I would like to look at that appraisal and determine whether ATXI's offer
71 is fair. Until I receive that appraisal, I cannot participate in an informed negotiation.

72 **Q. IN YOUR OPINION, HAS ATXI ATTEMPTED TO NEGOTIATE WITH YOU IN**
73 **GOOD FAITH?**

74 A. No, it has not. Mr. Ohlms promised me a copy of the appraisal. I called Mr. Ohlms and he
75 has not returned my phone calls. I have not been furnished with the promised appraisal.

76 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

77 A. Yes, it does.